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Senate votes to prosecute pharmacists who alter drugs

LANSING – Michigan pharmacists who knowingly or recklessly adulterate, misbrand or substitute a drug that results in harm to a patient will face increased penalties under legislation passed today in the Senate, Sen. Jud Gilbert, R-Algonac, announced.

“Current Michigan penalties are inadequate to deal with these crimes,” Gilbert said. “Purposely altering a drug someone is depending on to survive is a heinous crime. This legislation will prevent these people from ever practicing pharmacology and dispensing medicine again.”

The legislation would require the revocation of the pharmacist’s medical and pharmaceutical license, impose a fine and order restitution if they knowingly or recklessly adulterated, misbranded or substituted a drug or medicine, or sold a drug or medicine that had been altered. It also increases the penalties depending upon the seriousness of the subsequent harm to the patient.

Penalties would include:

- A maximum of four years imprisonment and a \$5,000 fine if no injury results;
- A maximum of 10 years imprisonment and a \$10,000 fine if injury results;
- A maximum of 25 years imprisonment and a \$25,000 fine if serious impairment of bodily function results; or
- A penalty of life or any term of years and a \$40,000 fine if death results.

Although no cases have yet been reported in Michigan, there are cases from other states in which unscrupulous pharmacists have endangered individual’s lives by making the drugs or medicine provided to the individuals less powerful.

“These bills are a proactive approach to effectively deal with the issue before it arises in Michigan,” Gilbert said. “We must do all we can to protect the lives of Michigan’s residents and we shouldn’t wait until someone is harmed to take action.”

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